सीमाशुल्क विभाग, पटना में अनुसूचित जातियों के कर्मचारियों की पदोन्नति

*461 **प्रो0 राम देव भंडारी:** क्या वित्त मंत्री यह बताने की कृपा करेंगे कि:

(क) क्या यह सच है कि अतिरिक्त /द्वैत प्रभार के सीमाशुल्क आयुक्त, पटना ने अनुसूचित जातियों के तृतीय श्रेणी के कर्मचारियों को उनकी निरीक्षकों के पदों पर देय प्रोन्नति से वंचित कर अवैध कृत्य किया है; और

(ख) यदि हां, तो तत्संबंधी ब्यौरा क्या हैं?

वित्त मंत्री (श्री पी0 चिदम्बरम): (क) और (ख) एक **विवरण** सभा पटल पर रख दिया गया है।

विवरण

(क)और (ख): जी नहीं। वास्तव में, सीमाशुल्क और उत्पाद शुल्क, दोनों विंगों में कार्यरत निरीक्षकों के पद पर प्रोन्नति , संवर्ग नियत्रंक प्राधिकारी होने के कारण आयुक्त, केन्द्रीय उत्पाद शुल्क, पटना द्वारा की जाती है। निरीक्षकों के पद पर प्रोन्नतियां नियमानुसार की गई हैं और निरीक्षक के पद पर प्रोन्नति के लिए पात्र समूह 'ग'अनुसूचित जाति के कर्मचारियों के प्रति कोई पक्षपात नहीं किया गया है।

Promotion of SCs in Customs Department, Patna

†*461 PROF. RAM DEO BHANDARY: Will the Minister of FINANCE be pleased to state:

(a) whether it is a fact that Customs Commissioner in additional/dual charge, Patna has performed illegal action by depriving the Group-C employees of Scheduled Castes of their promotion to the post of Inspectors; and

(b) if so, the details thereof?

THE MINISTER OF FINANCE (SHRI P. CHIDAMBARAM): (a) and (b) A Statement is laid on the Table of the House.

Statement

(a) and (b) No, Sir. In fact, the promotions to the post of Inspectors working in both Customs and Excise Wings are done by the Commissioner,

†Original notice of the question was received in Hindi.

Central Excise, Patna, being the cadre controlling authority. The promotions to the post of Inspectors have been done as per the Rules and no discrimination has been done against the Group-C SC employees eligible for promotion to the post of Inspector.

प्रो0 राम देव भंडारी : माननीय सभापति जी, मेरे प्रश्न पटना के सीमा शुल्क और उत्पाद शुल्क विभाग में शेड्यूल्ड कास्ट के यू0डी0सी0 कर्मचारियों का निरीक्षक के पद पर प्रमोशन के संबंध में था। महोदय, मंत्री जी का जवाब बिल्कुल प्रश्न के अनुकूल नहीं है। उन्होंने कहा है कि निरीक्षकों के पदों पर प्रोन्नतियां नियमानुसार की गयी हैं और पात्र समूह "ग" अनुसूचित जाति के कर्मचारियों के प्रति कोई पक्षपात नहीं किया गया है। महोदय, जवाब में इनको अनुसूचित जाति के कर्मचारियों के नंबर्स बताने चाहिए थे, कितने कर्मचरियों का प्रमोशन होना था और कितनों का प्रमोशन हुआ कुछ नहीं बताया है?महोदय, संविधान ने अनुसूचित जाति और जनजातियों को साढ़े 22 प्रतिशत नियुक्ति में आरक्षण और प्रमोशन देने का प्रावधान किया है, मगर आज 60 साल के बाद भी आप देखेंगे कि "ए", "बी", "सी", "डी" चारों कैटेगरीज में अभी तक बैकलॉग है। उनका कोटा नहीं भरा गया है। हम लगातार कहते रहते हैं कि उन्हें प्रमोशन दे रहे हैं, नियुक्ति दे रहे हैं। यह स्थिति है। इसका कारण यह नहीं है कि उनमें योग्यता नहीं है, क्षमता नहीं है।

श्री सभापति: क्वैश्चन करिए।

प्रो0 राम देव भंडारी: इसका कारन यह है कि अभी भी सरकार में एंटीएस0सी0 मानसिकता के कई अधिकारी हैं जो एस0सी0/एस0टी0 के प्रमोशन को तिकड़म के बदौलत, मैनिपुलेशन के बदौलत खत्म करते हैं और उसको जनरल कैटेगरी में रखते है। महोदय, पटना में भी कुछ ऐसा ही हुआ है।

श्री सभापति : क्वैश्चन कर लीजिए।

प्रो0 राम देव भंडारी: महोदय, मैं थोडी सी बैकग्राउंड दे रहा हूं कि पटना में क्या हुआ है। वहां 21-22 कर्मचारियों के प्रमोशन निरीक्षक के पद पर होने थे। मेरे पास एक पत्र है, उस पत्र के अनुसार प्रमोशन में इंटरव्यू का कोई प्रावधान नहीं है। उसका इंटरव्यू होगा जिस पर कोई विजिलेंस या डिसिप्लिनरी चार्ज है। इन 21-22 कर्मचारियों का प्रमोशन होना था। उन्हें प्रमोशन नहीं दिया गया और तिकड़म व मैनिपुलेशन से उसको खत्म किया गया है। मैं माननीय मंत्री जी से जानना चाहता हूं कि कितने कर्मचारियों का प्रमोशन होना था,कितने कर्मचारियों का प्रमोशन हुआ और अगर नहीं हुआ तो इसमें किसी प्रकार का मैनिपुलेशन हुआ है, किसी प्रकार से उनको इससे वंचित किया गया है? अगर शेड्यूल्ड कास्ट के कर्मचारियों को इससे वंचित किया गया है तो मैं इस मामले में सेंट्रल विजिलेंस से जांच कराना चाहता हूं। मैं स्पष्ट रूप से मंत्री महोदय से जवाब चाहता हूं।

SHRI P. CHIDAMBARAM: Sir, there is no difficulty in sharing the numbers with the House. This case goes back to December, 2002 when the recruitment rules for the post of inspector were amended, and the cadre restructuring took place with effect from 7.12.2002. As a result of the restructuring, the number of sanctioned posts of inspector declined from 645 to 511. However, in a case filed in the Andhra Pradesh High Court, the High Court directed that the vacancies must be calculated on the basis that was prevailing prior to the cadre restructuring on 7th December, 2002 and as per the old RRs of 1979. The Government accepted the Andhra Pradesh High Court judgement, constituted a reviewed DPC, and the review DPC promoted all eligible SC and ST officers from the feeder category to the category of inspector. The numbers are following:

Total number of officers promoted: 171

General category	:	128
SC	:	27
ST		16

in terms of percentages, the SC candidates, who have been promoted, constitute 15.8 per cent and the ST candidates constitute 9.4 per cent. According to the information available with me, all the SC and the ST candidates eligible for promotion in the feeder category under the H.C. judgement have been promoted.

प्रो0 राम देव भंडारीः महोदय, मेरा सवाल पटना के संबंध में था। विशेष रूप से मैं पटना के संबंध में मंत्री महोदय से जानना चाहता हूं कि कितने कर्मचारियों के प्रोमोशन ड्यू थे, कितनों को प्रोमोशन दिया गया है?

SHRI P. CHIDAMBARAM: Sir, this is only about Patna.

श्री मंगनी लाल मंडलः सभापति महोदय, माननीय मंत्री जी का जवाब संतोषप्रद नहीं है। जो प्रश्न पूछा गया है , उसक जो उत्तर दिया गया है और फिर अभी पूरक प्रश्न के उत्तर में भी यही कहा गया कि प्रोन्नति दी गई है। सरकार का एक पत्र हमारे हाथ में है, जो 21 अप्रैल, 2004 का है, अंडर सेक्रेटरी एस0के0 ठाकुर हैं, इसमें अनुसूचित जाति, जनजाति का जो संघ है, उसके संजय कुमार दास, ज्वायंट सेक्रेटरी ने भारत सरकार को कहा कि तत्कालीन वहां के जो आयुक्त थे सीमा –शुल्क, ने जो अपनी मेरिट से शेडयुल्ड कास्ट के जिन लोगों ने प्रोन्नति पाई, उनकी गणना कर दी रिजर्व कैटेगरी में, नंबर-एक। नंबर –दो, इंटरव्यू का कोई प्रोविजन नहीं है, जबकि सरकार के पत्र में यह

खुलासा किया गया है कि दलित वर्ग के जो अभ्यर्थी थे और जो अनुसूचित जनजाति के थे, उन लोगों को इंटरव्यू में बुलाया गया। जो भारत सरकार का सर्कुलर है, यह उसके विपरीत है, इसलिए कहा गया कि इसको आप खत्म कीजिए। नंबर-तीन, जो रोस्टर तैयार किया जाना चाहिए, वह रोस्टर तैयार नहीं किया गया कि अनुसूचित जाति और जनजाति के कितने पद उपलब्ध हैं, जिनको प्रोन्नति दी गई । भारत सरकार का जो अंडर सेक्रेटरी है, उन्होंने अपने पत्र में कहा कि आपने गलत किया है, इसीलिए आप दूसरी बार पुनः डी0पी0सी0 बुलाइए, डिपार्टमेंटल प्रोमोशन कमेटी बुलाइये और जो भारत सरकार के वित्त मंत्रालय का सर्कुलर है, सीवीएससी का सर्कुलर है, उसमें रिजवेंशन के तहत जो प्रोन्नति देने का प्रोविजन है,उसका अनुपालन करते हुए अनुपाल प्रतिवेदन दीजिए। मैं माननीय मंत्री जी से यह जानना चाहता हूम कि जो बातें मैंने अभी सदन में कही है, क्या उस आलोक में द्वितीय बार डी0पी0सी0 बुलाकर के अनुपाल प्रतिवेदन सरकार को भेजा गया है? और , अगर भेजा गया है, तो उसके अनुसार,जो अपनी मेरिट से जिसने प्रोन्नति पाई है उसको घटाकर के, रोस्टर के आधार पर कितने अनुसूचित जाति और जनजाति के लोगों को यूडीसी से इंस्पेक्टर में प्रोमोशन दिया गया है?

SHRI P. CHIDAMBARAM: Sir, we are now getting into the individual case of an officer.

श्री मंगनी लाल मंडलः नहीं, महोदय, यह इंडिविजुअल केस नहीं है।

SHRI P. CHIDAMBARAM: Just a moment. You are now talking about an individual case of an officer, Mr. Sanjay Kumar Das. Now, Mr. Sanjay Kumar Das has also been promoted at the review DPC and orders for his promotion were issued and he has also been promoted with effect from a date in 2002. As I said, Sir, in Patna, all eligible SC and ST candidates in the feeder category have been promoted. The number that I have given fully satisfies the reservation for SCs and STs. I just gave you the number, the number of ST candidates amounts to 15.8 per cent and the number of SC candidates amounts to 9.4 per cent. Honourable Member is referring to an order or a letter, which he has in his hand, dated 24th April, 2004. As I said, the judgement of the Andhra Pradesh High Court was delivered on 2nd March, 2005. That judgement has been accepted A review DPC was constituted. In the review DPC, 171 promotions were made, of which SC amounts to 27 and ST amounts to 16. So, whatever letter the hon. Member has, prior to 2nd March 2005,.may have reflected the view of the Department when the matter was being contested in the Andhra Pradesh High Court. Once the Andhra Pradesh High Court directed that the review DPC should be done and the vacancies should be reckoned as per the number prevailing

on 6.12.2002, and should be filled as per the old RRs, the Government accepted the judgement and have implemented the judgement.

श्री मंगनी लाल मंडलः महोदय,माननीय मंत्री जी हमको जंगल में ले जा रहे हैं। माननीय उच्च न्यायालय, हैदराबाद का जो न्याय निर्णय है, वह 2005 का है। भूतलक्षी प्रभाव से किसी को पदोन्नति दी नहीं गई होगी। मैंने इस पत्र में दो-तीन बिन्दु उठाए थे सिर्फ पटना के बारे में कि जिन्होंने अपने मेघा से प्रोन्नति पाई है, उनको घटाकर, जो उनक वाजिब हक बनता है, जिसके आधार पर रोस्टर तैयार करके उनको प्रोन्नति मिलनी चाहिए, पटना में कितनी प्रोन्नति मिलीं? यह मैंने पटना के बारे में कहा था। यहां पर भूतलक्षी प्रभाव का सवाल नहीं है।

श्री सभापति : वे पटना के बारे में ही बोल रहे हैं।

श्री मंगनी लाल मंडलः अगर आपकी अनुमति हो तो मैं इस पत्र को सदन के पटल पर रखना चाहता हूँ और मैं आपका संरक्षण चाहता हूँ।

श्री सभापति : ठीक है, रख दीजिए।

SHRI PRAVEEN RASHTRAPAL: Thank you very much, Mr. Chairman. Sir, in fact, my Question No. 3259 regarding backlog vacancies in the Finance Ministry was permitted by the Secretariat on 16.5.2006 and on that day, the hon. Finance Minister gave a reply that the information is being collected regarding backlog vacancies to be filled up in the Finance Ministry. Sir, i take this opportunity to inform this hon. House that the Prime Minister 6f the country has written DO. letter to ail the Central Ministers in View of the item in the National Common Minimum Programme that all backlog vacancies of SC and ST will be wiped out. The hon. Prime Minister further desired that it should be done by December, 2005. Now, today, we are in May, 2007, but things are not improving. Sir, I had requested you goodself that the Finance Ministry may reply to me. And I have received reply from the Finance Ministry on 26th September, 2006. And what is the reply? Sir, they are very rightly asking questions about the Central Excise Department. Central Excise, Customs and Income Tax are the most important wings of the Finance Ministry. And today, the reply given is that in respect of the Department of Revenue, information is awaited. They are saying that even after one year, the Chief Commissioner of Income Tax and the Chief Commissioner of Centra! Excise and Customs from all over the country are not giving information to the most powerful Minister of the global economy regarding the backlog vacancies. *(Interruptions)* I

compliment him. He has achieved success in many areas, but as far as the question of filling up of backlog vacancies is concerned, the Finance Ministry, the Health Ministry including the Ministry of Social Justice and Empowerment have miserably failed to fulfil the programme of the hon. Prime Minister. I want to know from the hon. Finance Minister as to how much time his Ministry will take to fill up the entire backlog vacancies in recruitment and promotion in the Department of Income Tax, Customs and Central Excise.

SHRI P. CHIDAMBARAM: Sir, this question concerns the alleged deprivation of promotion in Patna. So, full information has been gathered about Patna and I have given the information. And i maintain most respectfully that the information which I have given, is correct. In Patna, in the Central Excise, the cadre controlling authority has promoted all the Scheduled Castes and the Scheduled Tribes from Group-C to Groyp-D in accordance with the rules in implementing the judgment of the Andhra Pradesm High Court. Now, the hon. Member wants to know about the whole Department, about the Income-tax Department, about Excise and about Customs. Obviously, i do not have the figures for the whole Department. When I wrote him a letter, I must have written to him the position prevailing on that day. These are done by the Cadre Controlling Authority in each zone. This is Group-C to Group-B.

Therefore, I must have written to him that the information is awaited ...*(Interruptions)*...

SHRI PRAVEEN RASHTRAPAL: Sir my question was about all the four categories, that is, Group-A, Group-B, Group-C and Group-D .*(Interruptions)*.. ,

SHRIMATI BRINDA KARAT: Sir, see she way the Finance Minister is speaking in this House ...*(Interruptions)*...

SHRI P. CHIDAMBARAM: Sir, I said, I don't have the information now. I will collect the information and give it to him. Please see the question. This question is about Patna ...*(Interruptions)*...

MR. CHAIRMAN: Yes, the question is regarding Patna. Now, Dr. K. Maiaisamy ...*(Interruptions)*...

श्री रूद्रनारायण पाणिः*

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* Not recorded

MR. CHAIRMAN: Nothing will go on record ..*(Interruptions)*... आप बैठिए, बैठिए ...(**व्यवधान**)... आप बैठिए ...(**व्यवधान**)...

DR. K. MALAISAMY: Sir, the hon. Minister's statement and his reply are very dear that the rules and regulations of the Department are being pursued and have been complied with, and accordingly, promotions have been given. Sir, despite the application of the rules and regulations, it is a matter of fact that a number of persons are aggrieved, and they went to a court of law. They preferred an appeal. So, In short, what I am trying to say is that irrespective of their system or their handling, the fact remains that there are certain people who are aggrieved. Is it due to the non-application of rules in a proper way or is it due to showing the discretion arbitrarily, Instead of judiciously? Whether it is due to system failure or whether it is due to human failure?

SHRI P. CHIDAMBARAM: Sir, take this case. Rules were amended in 2002. The cadre was restructured in 2002. There was a dispute whether the promotion should be made according to the restructured cadre or the un-restructured cadre. The Government of the day took the position that it should be filled according to vacancies after restructuring. Some employees were aggrieved. They went to a court of law. The court gave a judgement holding that the Government's view is not correct and government must fill the vacancies according to the pre-restructured cadre. Now, all this happened under the Government which was in office in 2002 or thereabout. I am not making any judgement or a statement. Now, when we come into office, we receive a judgement of the Andhra Pradesh High Court. We accept the judgement, and then say very well, the High Court has pronounced a judgement, the vacancies must be filled according to the number prior to restructuring. We have filled it accordingly. Now, the hon. Member asks me to make a judgement whether the 2002 decision was an abuse of discretion or was it an arbitrary decision. How can I make such a judgement? The Government of the day took a decision; the matter was challenged in the Andhra Pradesh High Court. The Andhra Pradesh High Court has given a judgement. Our Government has accepted the judgement, and we have promoted, and we have filled all the vacancies according to the unrestructured cadre. Every single vacancy has been filled in Patna. I do not want to be judgemental about what happened 3 years ago or 5 years ago. I can only deal with matters as they come before me. What came

before me is the judgment of the Andhra Pradesh High Court. We did not, appeal against that judgement. We accepted that judgement. We promoted them.

Failure of RBI in controlling inflation

*462. SHRI S.M. LALJAN BASHA:†

SHRI M.V. MYSURA REDDY:

Will the Minister of FINANCE be pleased to state:

(a) whether RBI has reported that the Scheduled Banks business in the country in 2006-07 upto March 2 grew by 22.5 per cent as compared with 23.4 per cent growth last year;

(b) if so, whether Government will explain why inflation continued at over 6.4 per cent in the month of March, 2007 despite claims of RBI that liquidity is less;

(c) whether it is a fact that RBI has either been unable or perhaps unwilling to bring down inflation to less than 2.5 per cent; and

(d) if so, what steps Government will take to introduce fiscal measures to counter the hon activity of RBI?

THE MINISTER OF FINANCE (SHRI P. CHIDAMBARAM): (a) to (d) A Statement is placed in Table of the House.

Statement

(a) As per the data released by the Reserve Bank of India (RBI), Bank Credit during 2006-07 (upto March 2,2007) grew by 22.5 percent compared to 23.4 per cent during the corresponding period of previous year.

(b) Demand-supply gap in some agricultural commodities like wheat, pulses and edible oils, hardening international prices of various commodities including metals and crude oil, rapid rise in credit, buoyant inflows of FDI and Fll reflecting positive investor sentiments, and the high growth momentum of the economy have been the major reasons for inflation.

(c) and (d) As monetary policy comes under the purview of RBI, a number of monetary measures were announced with the objective of containing

†The question was actually asked on the floor of the House by Shri S.M. Laijan Basha.